

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ROSS GILSON, TERRENCE LEDWELL, VERN LEI, EDWARD MCBRIDE, and SALVATORE SANTUCCI  - v. -  CITY OF PHILADELPHIA	Civil Action  No. 2:23-cv-01734
<b>NOTICE OF ACCEPTANCE</b>	

To Anne B. Taylor:

Under FED. R. CIV. P. 68(a), Plaintiffs accept the City's June 5, 2023 Offer of Judgment, which is attached as Exhibit A.

Respectfully submitted,

/s/ Daniel J. Auerbach  
Daniel J. Auerbach (PA I.D. No. 316856)  
AUERBACH PLLC  
241 South 6th Street, #1902B  
Philadelphia, PA 19106  
(215) 983-6966  
dan@auerbach.llc

Dated: June 6, 2023

### **CERTIFICATE OF SERVICE**

I certify that on the date set forth below, I filed a copy of the foregoing paper via the Court's CM/ECF System, which provide notice to all counsel as Filing Users. The document is available for viewing and downloading from the ECF system.

/s/ Daniel J. Auerbach

Daniel J. Auerbach (PA I.D. No. 316856)

AUERBACH PLLC

241 South 6th Street, #1902B

Philadelphia, PA 19106

(215) 983-6966

dan@auerbach.llc

Dated: June 6, 2023

# Exhibit A

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

---

<b>ROSS GILSON, et al.</b>	:	
<b>Plaintiffs,</b>	:	
	:	
<b>v.</b>	:	<b>Civil Action</b>
	:	<b>No. 2:23-cv-01734-TJS</b>
	:	
<b>CITY OF PHILADELPHIA,</b>	:	
<b>Defendant.</b>	:	

---

**OFFER OF JUDGMENT**

**TO:** Andrew B. Austin, Esq.  
Daniel J. Auerbach, Esq.

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendant City of Philadelphia hereby offers to allow Judgment to be taken against it and in favor of the Plaintiff for the claim of injunctive relief regarding the ordinance currently codified at Philadelphia Code 10-820, brought by way of the instant litigation, inclusive of costs, attorneys' fees, and interest accrued to date, in the amount of Eight Thousand Five Hundred Dollars (\$8,500.00).

This Offer of Judgment is made solely for the purposes specified in Federal Rule of Civil Procedure 68 and is not to be construed either as an admission that any Defendant is liable in this action, or that Plaintiff has suffered any damages. Said judgment is to have no effect whatsoever except in settlement of this case. Additionally, this Offer of Judgment is not admissible as evidence in any proceeding, except, if rejected, in a proceeding to determine costs. If this Offer of Judgment is not accepted in writing within fourteen (14) days, it shall be deemed withdrawn.

Date: June 5, 2023

/s/ Anne B. Taylor  
Anne B. Taylor, Esq.  
Chief Deputy City Solicitor  
City of Philadelphia Law Department  
Civil Rights Unit  
1515 Arch Street, 14<sup>th</sup> Floor  
Philadelphia, PA 19102  
anne.taylor@phila.gov  
(215) 683-5381